

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Civil No. 09-cv-00153-JL

Bank of American Account  
No. 008982906062, et al.

**SUMMARY ORDER**

The court was prepared to grant a hearing on this motion, but neither party requested one, and the court will thus rule on the written filings. The Motion to Vacate Judgment (document no. 13) is GRANTED.

Paragraph 8 of the claimant's reply gets it right; a mistake was made here, and the mistake was the court's. Both the clerk's office and the court frequently treat submissions such as the June 22nd letter as motions, and the failure to do so on this occasion was inadvertent, as was made plain by the court's eventual appointment of Attorney Kenna.

The United States Attorney may be correct that the forfeiture money judgment confession in the related criminal case may render this claim moot, and the court is hopeful that the claimant's counsel will give good faith consideration to that possibility in his future dealings with the United States Attorney in this case.

**SO ORDERED.**



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Joseph N. Laplante  
United States District Judge

Dated: September 9, 2010

cc: Bruce E. Kenna, Esq.  
Robert J. Rabuck, AUSA  
Seth R. Aframe, AUSA